

SENATE BILL 3159

By Johnson

AN ACT to amend Tennessee Code Annotated, Title 68,
relative to environmental regulations.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 201, Part 1, is amended by
adding the following language as a new section thereto:

§ 68-201-121.

(a) Notwithstanding any other law to the contrary, a comprehensive economic impact assessment followed by express legislative authorization shall be required prior to the adoption of any state or regional program to implement a cap and trade system or any other program to address greenhouse gas emissions or motor vehicle fuel economy by a state agency.

(b)

(1) Notwithstanding any other law to the contrary, no state agency shall adopt or enforce a state or regional program to regulate the emission of greenhouse gases or motor vehicle fuel economy without express legislative authorization enacted after the effective date of this bill.

(2) For purposes of this section, "greenhouse gas" means carbon dioxide, methane, nitrous oxide, sulfur hexafluoride, hydroflourocarbon or perfluorocarbon.

(c) The commissioner of environment and conservation shall provide a written report to the governor, the speaker of the house of representatives, the speaker of the senate, and the Tennessee regulatory authority on each program

proposed to address greenhouse gas emissions or motor fuel economy, including, but not limited to, any program that is the subject of a pending or prior rulemaking proceeding within three (3) months of the effective date of this act.

The report shall include a description of the proposed program, a comprehensive analysis of the fiscal impact to the state and the economic, consumer and small business impacts of the proposed program, and a draft of the legislation to authorize the proposed program.

SECTION 2. Tennessee Code Annotated, Section 68-201-105(a)(1), is amended in the introductory sentence by deleting the language "The board has the power and duty to:" and by substituting instead the language "Subject to the requirements of § 68-201-121, the board has the power and duty to:".

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.